



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, April 12, 2006

9:00 a.m.
City Council Chambers
City Hall

200 East Santa Clara Street
San Jose, California 95113-1905

Hearing Officers

Jean Hamilton, AICP, Principal Planner

Susan Walton, Principal Planner

**Joseph Horwedel, Acting Director
Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **April 12, 2006**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience. A validation machine is available up the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Gina Robles (gina.robles@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **TR06-024. Tree removal permit** for a previously removed 83” circumference oak tree in the R-1-8 Single-Family Residence Zoning District, located at 1101 Welch Avenue between Rhoda Drive and Hayden Drive (Hong-Hanh Phan, Owner). Council District: 1. CEQA: Exempt.
- b. **TR06-022. Tree Removal Permit** request to allow the removal of one Chinese Elm tree, 62” in circumference on a 0.24 gross acre site. in the R-1-8 Single-Family Residence Zoning District, located at 1721 Husted Avenue (Ball Larry A And Deanne M, Owner). Council District 9. CEQA: Exempt.
- c. **H06-013. Site Development Permit** to allow the addition of a 3,000-gallon liquid nitrogen tank at an existing industrial park facility located at 5600 Cottle Road (Hitachi). Council District2. SNI: None. CEQA: Exempt.
- d. **H06-010. Site Development Permit** to construct a 295 square foot addition to an existing duplex on a 0.17 gross acre site in the R-2 Two-Family Residence Zoning District, located on the east side of New Jersey Avenue, approximately 330 feet southerly of Dry Creek Road (2312 NEW JERSEY AV) (Sung Chi Wing And Sabrina Et Al, Owner). Council District 9. SNI: None. CEQA: Exempt.
- e. **SP05-049. Special Use Permit** to allow conversion of 3 existing unpermitted residential units to accessory structures on a 1.5 gross acre mobile home site in the R-MH Mobilehome Park Zoning District, located on the west side of South Jackson Avenue, approximately 350 feet southerly of East San Antonio Street (241 S JACKSON AV) (Hillview Managment Co Inc, Owner). Council District 5. SNI: Mayfair. CEQA: Exempt.
- f. **SP06-013. (Previously File No. CP05-069) Wireless - Special Use Permit** to allow co-location of wireless communication antennas on an approved monopole at a 4.17 gross acre church site in the R-1-8 Single-Family Residence Zoning District, located on the

north side of McKee Road approximately 380 feet easterly of Toyon Avenue (5301 MCKEE RD) (Presbytery Of San Jose, Owner). Council District 5. SNI: None. CEQA: Exempt.

- g. **SP05-056. Special Use Permit** to allow a tandem parking configuration for an existing single-family residence on a 0.16 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the south side of McKee Road, approximately 116 feet west of White Road (3068 MCKEE RD) (Vo Sam, Owner). Council District 5. SNI: None. CEQA: Exempt.
- h. **SP05-041. Special Use Permit** for demolition of one commercial building (O'Neal Building) and construction of a fence on a 0.11 gross acre site in the DC Downtown Primary Commercial Zoning District, located on the west side of S. First Street, approximately 150 feet north of San Fernando Street (79 S. 1st Street) (O'Neal Dan Et Al, Owner). Council District 3. SNI: None. CEQA: Exempt.
- i. **SP05-033. Special Use Permit** for demolition of one commercial building (John Stock and Sons/Monomania) and construction of a fence on a 0.21 gross acre site in the DC Downtown Primary Commercial Zoning District, located on the west side of South First Street, approximately 160 feet north of San Fernando Street (71 S. 1st Street) (Green Valley Enterprises, A Partnership, Owner). Council District 3. SNI: None. CEQA: Exempt.
- j. **HA03-002-01. Site Development Permit Amendment** to (1) increase the number of multiple dwelling units from 74 to 76, (2) increase the amount of commercial floor area from 17,000 to 18,000 square feet, (3) increase the number of parking spaces from 172 to 176, and (4) allow associated exterior modifications on a 1.05 gross acres site in the DC Downtown Primary Commercial Zoning District, located on the east side of S. Second Street, approximately 100 feet south of E. Santa Clara Street (25 S 3rd Street) (Paseo Villas, L.P., Owner). Council District 3. SNI: None. CEQA: Use of Strategy 2000 Final Environmental Impact Report
- k. **H06-001. Site Development Permit** to construct a 680-square-foot addition to an existing liquor store for a new retail space on a 0.25 gross acre site in the CG General Commercial Zoning District, located on the north side of McKee Road, approximately 600 feet easterly of King Road (1795 McKee Road) (Trinh Michael Et Al, Owner). Council District 3. SNI: None. CEQA: Exempt.
- l. **SP06-001. Special Use Permit** to install mill and lathe machine at the existing machine shop on a 3.69 gross acre site in the IP Industrial Park Zoning District, located on the north side of River Oaks Parkway, easterly terminus of Zanker Road and River Oaks Parkway (199 RIVER OAKS PY) (Applejack 199 Lp, Owner). Council District 4. SNI: None. CEQA: Exempt.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **PD05-093. Planned Development Permit** request to construct one single-family detached residence on a 0.3 gross acre site in the CP(PD) Planned Development Zoning District, located on the north side of Elizabeth Street, approximately 200 feet easterly of Hope Street (Gross Robert J And Shelly C, Owner). Council District 4. SNI: None. CEQA: Exempt. **Deferred from 3/22/06.**
- b. **PT05-080. Planned Tentative Map Permit** to reconfigure three parcels into one lot for

46 single-family attached residences on a 2.2 gross acre site in the A(PD) Planned Development Zoning District, located at/on the southeast corner of Curci Drive and St Elizabeth Drive (1460 CURCI DR) (Pinn Brothers Properties, Owner/Developer). Council District 6. SNI: None. CEQA: Negative Declaration. **Deferred from 3/29/06.**

- c. **SF06-011. Single Family House Permit** for a 1st and 2nd story addition to an existing one-story single-family house and replacement of roof materials located in the Hanchett/Hester Park Conservation Area on a 0.16 gross acre site zoned R-2 Two-Family Residence District, located at/on the east side of Mariposa Avenue approximately 150 ft north of Tillman Avenue (1230 MARIPOSA AV) (Samaniego Herman P Jr And Isabel, Owner). Council District 6. SNI: None. CEQA: Exempt.
- d. **TR06-005. Tree Removal Permit** for two ordinance size trees previously removed without benefit of permits from the rear yard of an existing single-family residence on a 0.11 gross acre site in the R-M Multiple Residence Zoning District, located at 853 State Street (Falcon Benito, Owner). Council District 3. CEQA: Exempt.
- e. **TR05-176. Tree Removal Permit** to remove one Monterey Pine tree, approximately 21 inches in diameter, located on the south side of Nevada Avenue, approximately 800 feet west of Bird Avenue in the R-1-8 Single-Family Residence Zoning District, (898 Nevada Avenue) (Deiranieh Akram R And Mary J Trustee, Owner). Council District 6. CEQA: Exempt.
- f. **TR06-023.** This is a request to remove one Chinese Elm tree, approximately 61 inches in circumference, on a 0.03 gross acre located at 1572 Fitchville Avenue (terminus of Fitchville Avenue, approximately 400 feet north of Stokes Ave), in the R-M Multiple Residence Zoning District, (Hill John Trustee, Owner). Council District 6. SNI: None. CEQA: Exempt.
- g. The projects being considered are located on the north side of Villa Avenue, 150 feet easterly of Myrtle Street (969 Villa Avenue), in the A(PD) Planned Development Zoning District (LG DEVELOPERS LP, Owner/Developer). Council District 6. SNI: None. CEQA: Mitigated Negative Declaration.
 - 1. **PD06-007. Planned Development Permit** to construct four single-family detached residences on a 0.37 gross acre site.
 - 2. **PT06-013. Planned Development Tentative Map Permit** to subdivide 1 parcel into 5 lots for single family detached residential uses on a 0.37 gross acre site.
- h. **PD05-066. Planned Development Permit** to construct 239 multifamily attached residential units at Santana Row on a 4.095 gross acre site in the A(PD) Planned Development Zoning District, located on the southwest corner of Olin Avenue and Hatton Street (388 SANTANA ROW) (Frit San Jose Town & Country Village LLC, Owner/Developer). Council District 6. SNI: None. CEQA: Final Town and Country Village EIR, EIR Resolution No. 68210.

This concludes the Planning Director's Hearing for April 12, 2006. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/default.asp>
PUBLIC INFORMATION COUNTER
(408) 535-7800 CITY OF SAN JOSE